

**41-6a-525 Reporting test results -- Immunity from liability.**

- (1) As used in this section, "health care provider" means a person licensed under:
  - (a) Title 58, Chapter 31b, Nurse Practice Act;
  - (b) Title 58, Chapter 67, Utah Medical Practice Act; or
  - (c) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act.
- (2) A health care provider who is providing medical care to any person involved in a motor vehicle crash may notify, as soon as reasonably possible, the nearest peace officer or law enforcement agency if the health care provider has reason to believe, as a result of any test performed in the course of medical treatment, that the:
  - (a) person's blood alcohol concentration meets or exceeds the limits under Subsection 41-6a-502(1)(a);
  - (b) person is younger than 21 years of age and has any measurable blood, breath, or urine alcohol concentration in the person's body; or
  - (c) person has any measurable controlled substance or metabolite of a controlled substance in the person's body which could be a violation of Subsection 41-6a-502(1)(b) or Section 41-6a-517.
- (3) The report under Subsection (2) shall consist of the:
  - (a) name of the person being treated;
  - (b) date and time of the administration of the test; and
  - (c) results disclosed by the test.
- (4) A health care provider participating in good faith in making a report or assisting an investigator from a law enforcement agency pursuant to this section is immune from any liability, civil or criminal, that otherwise might result by reason of those actions.
- (5) A report under Subsection (2) may not be used to support a finding of probable cause that a person who is not a driver of a vehicle has committed an offense.

Renumbered and Amended by Chapter 2, 2005 General Session